

## TENTH DAY.

(Friday, February 7, 1930.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

|                    |                |
|--------------------|----------------|
| Mr. Speaker.       | Loy.           |
| Acker.             | Magee.         |
| Ackerman.          | Mankin.        |
| Adkins.            | Marks.         |
| Albritton.         | Maynard.       |
| Allred.            | McCombs.       |
| Avis.              | McDonald.      |
| Baker.             | McGill.        |
| Barnett.           | Metcalfe.      |
| Beck.              | Minor.         |
| Bounds.            | Moore.         |
| Bradley.           | Morse.         |
| Brice.             | Mullally.      |
| Carpenter.         | Murphy.        |
| Coltrin.           | Negley.        |
| Conway.            | Nicholson.     |
| Cox of Lamar.      | Olsen.         |
| Cox of Limestone.  | Palmer.        |
| DeWolfe.           | Pavlica.       |
| Dunlap.            | Petsch.        |
| Duvall.            | Pool.          |
| Enderby.           | Pope of Jones. |
| Farrar.            | Purl.          |
| Finlay.            | Quinn.         |
| Forbes.            | Renfro.        |
| Gilbert.           | Richardson.    |
| Giles.             | Riley.         |
| Graves.            | Rogers.        |
| of Williamson.     | Rountree.      |
| Graves of Erath.   | Sanders.       |
| Hardy.             | Savage.        |
| Harding.           | Shaver.        |
| Harman.            | Shelton.       |
| Harrison.          | Sherrill.      |
| Heaton.            | Simmons.       |
| Hines.             | Sinks.         |
| Hogg.              | Snelgrove.     |
| Holder.            | Stephens.      |
| Hopkins.           | Stevenson.     |
| Hornaday.          | Storey.        |
| Hubbard.           | Tarwater.      |
| Jenkins.           | Thompson.      |
| Johnson.           | Tillotson.     |
| of Dallam.         | Turner.        |
| Johnson of Smith.  | Van Zandt.     |
| Johnson of Scurry. | Veatch.        |
| Jones.             | Waddell.       |
| Justiss.           | Wallace.       |
| Keeton.            | Walters.       |
| Keller.            | Warwick.       |
| Kemble.            | Webb.          |
| Kennedy.           | West.          |
| Kincaid.           | Williams.      |
| King.              | of Hardin.     |
| Kinnear.           | Williams.      |
| Land.              | of Travis.     |
| Lee.               | Woodruff.      |
| Long of Wichita.   | Young.         |

## Absent.

|             |             |
|-------------|-------------|
| Anderson.   | Martin.     |
| Baldwin.    | Mauritz.    |
| Brooks.     | Montgomery. |
| Eickenroht. | O'Neill.    |
| Gates.      | Patterson.  |
| Hefley.     | Reid.       |
| Lemens.     |             |

## Absent—Excused.

|                  |                 |
|------------------|-----------------|
| Bateman.         | McKean.         |
| Bond.            | Mehl.           |
| Chastain.        | Mosely.         |
| Davis.           | Pope of Nueces. |
| Ewing.           | Prendergast.    |
| Finn.            | Ray.            |
| Fuchs.           | Reader.         |
| Harper.          | Speck.          |
| Johnson.         | Strong.         |
| of Dimmit.       | Westbrook.      |
| Kayton.          | Wiggs.          |
| Kenyon.          | Williams.       |
| Long of Houston. | of Sabine.      |

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Williams of Sabine for today and tomorrow, on motion of Mr. Conway.

Mr. Bond for today, on motion of Mr. Metcalfe.

Mr. Mosely for today, on motion of Mr. Heaton.

Mr. Chastain for today, on motion of Mr. Barron.

Mr. Bateman for today, on motion of Mr. Van Zandt.

Mr. Webb for today, on motion of Mr. Albritton.

Mr. Kayton for today, on motion of Mr. Williams of Hardin.

Mr. Kenyon for today, on motion of Mrs. Moore.

Mr. Davis and Mr. Ray for today, on motion of Mr. Savage.

Mr. Reader and Mr. Anderson for today, on motion of Mr. Quinn.

Mr. Wiggs for today, on motion of Mr. Kincaid.

Mr. Fuchs for today and tomorrow, on motion of Mr. Shelton.

Mr. Pope of Nueces for today, on motion of Mr. Hardy.

Mr. Westbrook for today, on motion of Mr. Hopkins.

Mr. McDonald for today, on motion of Mr. Farrar.

Mr. Johnson of Dimmit for today, on motion of Mr. Tillotson.

Mr. Speck for today and tomorrow, on motion of Mr. Purl.

The following members were granted leaves of absence on account of illness:

Mr. Harper for today, on motion of Mr. Baker.

Mr. Mehl for today, on motion of Mr. Olsen.

Mr. Finn for today, on motion of Mr. Woodruff.

Mr. Long of Houston for today, on motion of Mr. Palmer.

#### REASONS FOR VOTE.

I vote to relocate the penitentiary because the records show they have lost the value of all the lands owned by the system, also the value of all the crops raised on the said lands and \$13,500,000 of the taxpayers' money since these farms have been in operation.

COX of Lamar.

#### TO SUSPEND CERTAIN HOUSE RULE.

Mr. Kemble moved that the House Rule which requires that the House shall consider resolutions for only twenty minutes be suspended at this time for the purpose of considering resolutions for one hour.

The motion prevailed by the following vote:

Yeas—95.

|                   |                    |
|-------------------|--------------------|
| Mr. Speaker.      | Harrison.          |
| Acker.            | Heaton.            |
| Ackerman.         | Hines.             |
| Allred.           | Hogg.              |
| Avis.             | Holder.            |
| Baker.            | Hornaday.          |
| Beck.             | Jenkins.           |
| Bounds.           | Johnson            |
| Bradley.          | of Dallam          |
| Brice.            | Johnson of Smith.  |
| Carpenter.        | Johnson of Scurry. |
| Coltrin.          | Justiss.           |
| Conway.           | Keeton.            |
| Cox of Lamar.     | Keller.            |
| Cox of Limestone. | Kemble.            |
| DeWolfe.          | Kincaid.           |
| Dunlap.           | King.              |
| Enderby.          | Land.              |
| Finlay.           | Lee.               |
| Forbes.           | Loy.               |
| Giles.            | Marks.             |
| Graves            | Martin.            |
| of Williamson.    | Maynard.           |
| Graves of Erath.  | McCombs.           |
| Hardy.            | McDonald.          |
| Harding.          | McGill.            |
| Harman.           | Metcalf.           |

|                |            |
|----------------|------------|
| Minor.         | Sinks.     |
| Moore.         | Snelgrove. |
| Morse.         | Stephens.  |
| Mullally.      | Stevenson. |
| Murphy.        | Storey.    |
| Nicholson.     | Tarwater.  |
| Olsen.         | Thompson.  |
| Palmer.        | Tillotson. |
| Pavlica.       | Turner.    |
| Petsch.        | Van Zandt. |
| Pope of Jones. | Veatch.    |
| Purl.          | Waddell.   |
| Quinn.         | Wallace.   |
| Renfro.        | Walters.   |
| Richardson.    | Warwick.   |
| Riley.         | West.      |
| Rogers.        | Williams   |
| Rountree.      | of Hardin. |
| Sanders.       | Williams   |
| Shaver.        | of Travis. |
| Shelton.       | Woodruff.  |
| Sherrill.      | Young.     |
| Simmons.       |            |

Nays—8.

|                  |         |
|------------------|---------|
| Albritton.       | Magee.  |
| Jones.           | Pool.   |
| Kennedy.         | Savage. |
| Long of Wichita. | Webb.   |

Absent.

|             |             |
|-------------|-------------|
| Adkins.     | Hopkins.    |
| Anderson.   | Hubbard.    |
| Baldwin.    | Kinnear.    |
| Barnett.    | Lemens.     |
| Brooks.     | Mankin.     |
| Duvall.     | Mauritz.    |
| Eickenroht. | Montgomery. |
| Farrar.     | Negley.     |
| Gates.      | O'Neill.    |
| Gilbert.    | Patterson.  |
| Hefley.     | Reid.       |

Absent—Excused.

|                  |                 |
|------------------|-----------------|
| Bateman.         | McKean.         |
| Bond.            | Mehl.           |
| Chastain.        | Mosely.         |
| Davis.           | Pope of Nueces. |
| Ewing.           | Prendergast.    |
| Finn.            | Ray.            |
| Fuchs.           | Reader.         |
| Harper.          | Speck.          |
| Johnson          | Strong.         |
| of Dimmit.       | Westbrook.      |
| Kayton.          | Wiggs.          |
| Kenyon.          | Williams        |
| Long of Houston. | of Sabine.      |

INVITING HON. A. F. WHITNEY  
AND HON. G. W. ANDERSON  
TO ADDRESS THE LEG-  
ISLATURE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 9, Inviting Hon. A. F. Whitney and Hon. G. W. Anderson to address the Legislature.

Whereas, The Hon. A. F. Whitney, international president of Railway Trainmen, accompanied by G. W. Anderson, secretary of this organization, are in the State; and

Whereas, These gentlemen are outstanding National figures, prominently identified with movements promoting the common good and general welfare of American life; therefore, be it

Resolved, The said A. F. Whitney and G. W. Anderson be invited to visit the Legislature and to address a joint session of the House and Senate at 10:30 o'clock a. m. Monday, February 10, 1930.

The resolution was read second time, and was adopted.

#### RELATIVE TO FOREIGN PRODUCTION OF CRUDE OIL.

The Speaker laid before the House, for consideration at this time, resolution heretofore offered by Mr. Quinn, relative to foreign crude oil production, the resolution having heretofore been read second time.

On motion of Mr. Hogg, the resolution was referred to the Committee on Federal Relations.

#### RELATIVE TO ENFORCING CERTAIN LAWS.

Mr. Duvall offered the following resolution:

Whereas, The venerable James Stephen Hogg, visualizing the menace to the rights of a free people that was destined to result from monopolies controlling necessities of life, while Governor of this great State, called upon the Legislature to enact laws that would afford the public protection against unreasonable combinations and agreements in restraint of trade and commerce; and the Legislature then in session, and subsequent Legislatures, in response to the warning given, placed on the statute books of Texas legislation prohibiting trusts and conspiracies against trade; and

Whereas, For many years following the passage of such legislation the people of this State observed a rigid enforcement of those laws by its officers; and

Whereas, Their constitutionality has many times been sustained not only by the highest courts of Texas, but by the

Supreme Court of the United States as well; and

Whereas, It is a matter of common knowledge that in recent years little or no respect has been shown for these laws by a number of the largest utilities doing business in this State; and

Whereas, The records in the office of the Railroad Commission of Texas show that the Lone Star Gas Corporation, with a capital stock of \$50,000,000, owns 99 per cent of the stock of the Lone Star Gas Company, the latter being a company engaged in the business of producing and transporting natural gas for domestic and industrial consumption, that the said Lone Star Gas Corporation owns approximately 99 per cent of the stock of companies distributing natural gas to more than 150 cities and towns in Texas; and

Whereas, The Railroad Commission of Texas, in the case of Re Fort Worth Gas Company, reported in public utility reports, 1929, A. P. 136, found as to the Fort Worth Gas Company, which is the distributing company, and the situation of which is no different from other distributing companies in the Lone Star group: (a) that the operation of the Fort Worth Gas Company was entirely directed and controlled by the Lone Star Gas Corporation; (b) that the practical effect of the combination was that the two companies were in reality but one company separated into two divisions; (c) that if the Fort Worth Gas Company were today a free agency to secure its gas where it might obtain the best price under competitive conditions, it could probably secure gas at a much cheaper rate; (d) that it would be ridiculous to assume that the Lone Star Gas Corporation, owning both the producing company and the distribution company, would permit the latter to go into the open market and purchase at the best price obtainable; and (e) that the pool and monopoly created has made it impossible for the distribution company to purchase its gas in a competitive market; and

Whereas, The State of Texas is now the third largest natural gas producing State in the United States; that natural gas is now being transported through large transmission lines from Texas to Kansas, Missouri, Colorado and other States; and

Whereas, The production of natural gas in Texas has increased manifold during the last ten years and the price

to consumers has steadily increased; now, therefore, be it

Resolved by the Legislature of Texas, That the Hon. Dan Moody, Governor of Texas, be urged to use all of the forces at his command that the laws of this State be respected, and particularly that the anti-trust laws, trusts and conspiracies in restraint of trade be rigidly enforced.

The resolution was read second time, and was adopted.

#### RELATIVE TO PRODUCTION OF COTTON.

Mr. Cox of Limestone offered the following resolution:

H. C. R. No. 17, Relative to the production of cotton.

Whereas, The condition of the cotton farmer grows more precarious year by year; and

Whereas, It has often been shown that large acreage and bumper crops of cotton bring the cotton grower less money than a medium acreage and medium production; and

Whereas, The prospects now for a large production of cotton is promising; and

Whereas, It has been shown by the Hon. Carl Williams of Oklahoma, member of Cotton Board, that the increasing of the quantity of non-tenderable American cotton has done more to bankrupt the American cotton farmer than any one thing; and

Whereas, Overproduction for the year 1930 would most assuredly prove disastrous, if not calamitous, to the cotton growing States; therefore, be it

Resolved, That it is the sense of the House of Representatives of the State of Texas, the Senate concurring, that as small amount as possible of non-tenderable cotton should be grown during 1930, and that the cotton acreage for the year 1930 should be reduced by not less than 20 per cent of the 1929 acreage, and that all farmers of Texas be requested to set apart for grain, hay, truck and other forms of diversification not less than 20 per cent of the acreage grown in cotton during the year 1929; be it further

Resolved, That the press of Texas is requested to give the widest publicity to this resolution.

Signed—Cox of Limestone, Graves of Williamson, King, Bateman, Metcalfe, Kennedy, Lemens, Giles, Gates, McDonald, Farrar.

The resolution was read second time.

On motion of Mr. Rountree, the resolution was referred to the Committee on Agriculture.

#### TO PROVIDE FOR COMMITTEE TO INVESTIGATE AUDITOR'S REPORT.

Mr. Petsch offered the following resolution:

H. C. R. No. 18, Providing for committee to investigate Auditor's report.

Whereas, The State Auditor has heretofore filed with the Legislature of the State of Texas serious charges of official misconduct against certain officials of the State of Texas named in the Auditor's report; and

Whereas, Said Auditor's report also discloses certain irregularities in the operation of certain departments of our State government; and

Whereas, The State Comptroller is, in said Auditor's report, specifically charged with the following violations of the laws of this State, to wit:

##### 1.

That he has violated Article 4344, Sections 5, 6, 9 and 18, which respectively provide: The manner of keeping all State accounts; requiring uniformity of accounts; the keeping and settling of all accounts of the State by the Comptroller; the keeping and preserving of all materials, records, books and papers; and in connection with the last referred to section, the Comptroller is charged with the destruction of his State fund accounts in the Austin National Bank and the Texas Bank and Trust Company.

##### 2.

That he has violated Article 4345 in that he does not secure the approval of the Secretary of State to his (Comptroller's) accounts before presenting same for payment to the Treasurer.

##### 3.

That he has violated Article 4348 in that he has not kept an account of the payments out of the various local funds of the State departments and institutions, and receipts thereto, and that his statement to the Governor has never included the complete record of public revenues and expenditures during the preceding year or estimates of same for the ensuing year.

##### 4.

That he has violated Article 4357 by

virtue of having failed to keep an alphabetical list of claims.

5.

That he has violated Article 4363 because he has failed to keep a record of all State-owned bonds, and has further failed to reconcile said accounts with similar accounts required to be kept by the State Treasurer, and further that he has made no quarterly balances.

6.

That he has violated Article 4364, Section 3, in that he has not kept control accounts for tax collectors covering current and delinquent taxes; and has further violated Section 4 of said article in that he has not kept accounts for all moneys and securities held by the State Treasurer, and neither has he kept a record of accounts with heads of departments for all money received by them and not deposited in the Treasury.

7.

That he has violated Article 4366 in the following respects: (1) In that he does not examine the Treasurer's disbursements; (2) in that he does not cancel warrants to prevent future circulation; (3) in that he does not supervise receipts and deposits of the Treasurer; (4) in that he does not check the balance of money on hand in the State Treasury.

8.

That he has neither returned the sum of \$6,312.74 escrow money to the Magnolia Petroleum Company nor deposited the same in the Treasury, but has either spent or hidden same out and now refuses to divulge its disposition.

9.

That the Comptroller appropriated the following State funds: Inheritance tax, Allison estate, \$4,195.86; inheritance tax, Griffin estate, \$1,362.67; Keeling Oil Company, \$325, to the personal use of the Comptroller; and that after a period of nearly four years after notice and investigation the Comptroller attempted to deposit said original money into the State Treasury.

10.

That the State Comptroller has violated Article 86, Sections 1, 2 and 3 of Article 87, Articles 94 and 98 of the Penal Code of the State of Texas, deal-

ing with the general proposition of misapplication and misappropriation of public moneys.

11.

That in his statement to the Auditor the Comptroller failed to account, and has not, to this day, accounted for over \$40,000 deposited by him in the Austin National Bank.

12.

That the State Comptroller has violated the principle of the laws of this State and the principle of public policy which would collect for the State all of its taxes and not a mere part thereof by permitting the organization of a delinquent tax collection agency and corporation, in which the State Comptroller's employes and a near relative are charged to be actively interested and participating.

13.

That it charges the Comptroller with violating the laws of this State by permitting illegal refunds of money from the Treasury of this State; and

Whereas, Said Auditor's report charges the present State Treasurer with the following violations of his duties and laws of this State, to-wit:

1.

As violating Article 4381 by failing to daily post the "fund accounts" and the "bond book," and by failing to keep said accounts in a permanent ledger, as is affirmatively required by Articles 4391 and 4392 of the Revised Statutes of 1925.

2.

As violating Article 4382 in failing to keep a "warrants paid" register and making the entries required by said articles.

3.

As violating Article 4383 by failing to keep the record of "warrants payable" with such sufficiency as to enable one to determine from such records the aggregate amount of outstanding warrants as required by said article.

4.

As violating Article 4384 by virtue of failing to make a list of outstanding warrants and failing to furnish such list to the Comptroller, together with a sufficient statement showing the aggregate amount of warrants paid during

the past month, as required by said article.

5.

As violating Article 4385 in failing to keep a general revenue, pension and special fund accounts, in that he fails to keep no such books.

6.

As violating Article 4387 by virtue of failing to keep an account of total "appropriations voted," as affirmatively required by said article.

7.

As violating Article 4388 by virtue of failing to require a daily deposit from the General Land Office, but instead thereof having directed that such deposit be made at other times, and further by making refunds for the General Land Office prior to receiving authority from the Comptroller.

8.

As violating Article 4390 by failing to keep a cash balance book, in that such book does not account therein for all cash in his possession.

9.

As violating Article 4393 in that (a) he does not keep a suitable record of securities; (b) in that he relinquishes securities without the consent of the Comptroller.

10.

As charging the State Treasurer with the receiving guaranty fund money which, under the law, should be deposited in the vaults of the Treasury, and depositing the same in a bank instead of doing therewith as the law directs.

11.

As charging the State Treasurer with general inefficiency and incompetency; and

Whereas, The aforesaid charges are matters which involve fundamental policies of the operation of our government, and sums of money running into millions of dollars, and the entire accounting system of this State; and

Whereas, Said charges involved the character and reputation, the honesty or dishonesty, the competence or incompetence, of two public officials of this State heretofore by the people elected; and

Whereas, These matters are, for all of said reasons, of supreme importance to

the citizenship of the State of Texas, and for such reasons deserve and demand a thorough investigation by the Legislature of the State of Texas; therefore, be it

Resolved, by the House of Representatives of the State of Texas:

Section 1. That a committee of seven members of the Legislature of Texas, consisting of four members of the House, to be appointed by the Speaker of the House of Representatives, and three Senators, to be appointed by the President of the Senate, whose duty it shall be to conduct an investigation into the affairs of the office of the Comptroller of Public Accounts of the State of Texas and into the affairs of the office of the Treasurer of the State of Texas, and the administration of said offices; especially to investigate the matters herein set forth, as well as any other matters which may hereafter be submitted to the Legislature or said committee by the State Auditor, and generally to investigate each and every act of said officers and the administration of their offices.

Sec. 2. That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours for meeting and adjourning; said committee shall sit in the Capitol at Austin during its sessions, and sessions of said committee shall be open to the public, except at such times as the committee, by a majority vote, may determine to hold an executive session. The chairman shall be elected by the committee at its first meeting, and the committee shall also appoint its own secretary and employes, and its sergeant-at-arms. Four or more members of said committee shall constitute a quorum, a majority of whom may act.

Sec. 3. That the committee shall have power to issue process for witnesses to any place in this State, and to compel their attendance, and to require the production of all books and records, and upon disobedience of any subpoena the said committee shall have power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by said committee, or any sheriff or any constable of this State. Said committee shall have power to inspect and make copies of any books, records, accounts or files of said offices or officers, or any employee or appointee thereof, under investigation by said committee, and of any county or political subdivision of this State, and shall also have power to examine and audit the

books of any person, firm, corporation, public or private, or political subdivision, having dealings with the said officers or officers or any employee or appointee of said officers. The committee shall have power to administer oaths and affirmations and fix the bonds of attached witnesses; and the committee shall further have all powers necessary in order to accomplish the purposes for which it is appointed. Any witness having been summoned to appear before said committee, who shall fail or refuse to appear, or having appeared, fails or refuses to answer any question propounded by said committee, or under its direction, or to produce books, records, accounts or files required by said committee, or who shall fail to abide by the mandates of this committee, or who shall do or fail to do anything that would constitute contempt in the district courts of this State, shall be deemed guilty of contempt of the House of Representatives and of this committee, and said committee is hereby authorized to punish for contempt, and is hereby granted the same power to punish for contempt as is vested in the House of Representatives, or said committee may certify such contempt to the House of Representatives for action.

Sec. 4. The witnesses attending said committee under process shall be allowed the same mileage and per diem as is allowed witnesses in the trial of criminal cases in the district court.

Sec. 5. Said committee shall have power and authority to employ and compensate all necessary experts, investigators, stenographers, clerks, auditors and all other necessary employees, and it shall be the duty of said committee to make and keep a record of its investigation.

Sec. 6. That said committee may call upon the Attorney General's Department for assistance and advice, and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon the request of the chairman or members of said committee.

Sec. 7. That said committee shall begin and complete its investigation at the earliest practicable moment, and shall submit a report in writing to the Forty-first Legislature. In the event said committee has not completed its investigation at the end of the Fourth Called Session of the Forty-first Legislature, it is hereby empowered to continue its investigation until completed, and the members thereof may be com-

pensated for their services as provided in Article 5962, Revised Civil Statutes. The compensation and expenses herein provided for incident to such investigation shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Fourth Called Session of the Forty-first Legislature, upon sworn account of the persons entitled to such pay, when approved by the chairman of said committee and Speaker of the House, and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Fourth Called Session of the Forty-first Legislature to meet the payment of such per diem and expenses of the members of said committee, witnesses' fees and other expenses incident to said investigation. Said report shall be filed with the House of Representatives, if in session, or if same be not in session, then said report shall be filed with the Speaker of the House.

Sec. 8. Said committee shall include in its report its recommendation of any action that should be taken, and specifically whether said officers have been guilty of any official misconduct.

The resolution was read second time.  
(Mr. Metcalfe in the chair.)

Mr. Hornaday moved that the resolution be referred to the Committee on State Affairs.

Mr. Morse moved the previous question on the pending motion and the resolution, and the motion was not seconded.

Mr. Woodruff moved to table the motion to refer the resolution.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum pending consideration of the resolution, and the call was duly seconded.

Question recurring on the motion for the call, yeas and nays were demanded.

The roll was called and the vote recorded as follows:

Yeas—57.

|                   |                    |
|-------------------|--------------------|
| Adkins.           | Harrison.          |
| Allred.           | Hogg.              |
| Baker.            | Hubbard.           |
| Barnett.          | Johnson            |
| Beck.             | of Dallam          |
| Bradley.          | Johnson of Smith.  |
| Carpenter.        | Johnson of Scurry. |
| Coltrin.          | Keller.            |
| Conway.           | Kemble.            |
| Cox of Limestone. | Kennedy.           |
| Enderby.          | King.              |
| Farrar.           | Kinnear.           |
| Forbes.           | Land.              |
| Gates.            | Loy.               |

|                |            |
|----------------|------------|
| Magee.         | Sanders.   |
| McDonald.      | Savage.    |
| McGill.        | Simmons.   |
| Moore.         | Stevenson. |
| Morse.         | Storey.    |
| Murphy.        | Tarwater.  |
| Negley.        | Thompson.  |
| Nicholson.     | Turner.    |
| Petsch.        | Van Zandt. |
| Pope of Jones. | Wallace.   |
| Purl.          | Walters.   |
| Quinn.         | Warwick.   |
| Renfro.        | West.      |
| Rogers.        | Woodruff.  |
| Rountree.      | Young.     |

## Nays—27.

|               |                  |
|---------------|------------------|
| Ackerman.     | Kincaid.         |
| Albritton.    | Lemens.          |
| Bounds.       | Long of Wichita. |
| Brice.        | Mullally.        |
| Brooks.       | Palmer.          |
| Cox of Lamar. | Pavlica.         |
| Finlay.       | Pool.            |
| Heaton.       | Richardson.      |
| Hines.        | Riley.           |
| Hornaday.     | Snelgrove.       |
| Jenkins.      | Stephens.        |
| Jones.        | Tillotson.       |
| Justiss.      | Webb.            |
| Keeton.       |                  |

## Absent.

|                  |             |
|------------------|-------------|
| Acker.           | Martin.     |
| Anderson.        | Mauritz.    |
| Avis.            | Maynard.    |
| Baldwin.         | McCombs.    |
| DeWolfe.         | Metcalfe.   |
| Dunlap.          | Minor.      |
| Duvall.          | Montgomery. |
| Eickenroht.      | Olsen.      |
| Gilbert.         | O'Neill.    |
| Giles.           | Patterson.  |
| Graves.          | Reid.       |
| of Williamson.   | Shaver.     |
| Graves of Erath. | Shelton.    |
| Hardy.           | Sherrill.   |
| Harding.         | Sinks.      |
| Harman.          | Veatch.     |
| Hefley.          | Waddell.    |
| Holder.          | Williams.   |
| Hopkins.         | of Hardin.  |
| Lee.             | Williams.   |
| Mankin.          | of Travis.  |
| Marks.           |             |

## Absent—Excused.

|           |                  |
|-----------|------------------|
| Bateman.  | Johnson.         |
| Bond.     | of Dimmit.       |
| Chastain. | Kayton.          |
| Davis.    | Kenyon.          |
| Ewing.    | Long of Houston. |
| Finn.     | McKean.          |
| Fuchs.    | Mehl.            |
| Harper.   | Mosely.          |

|                 |            |
|-----------------|------------|
| Pope of Nueces. | Strong.    |
| Prendergast.    | Westbrook. |
| Ray.            | Wiggs.     |
| Reader.         | Williams.  |
| Speck.          | of Sabine. |

Mr. Albritton raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

Mr. Purl moved a call of the House for the purpose of securing a quorum, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—60.

|                    |             |
|--------------------|-------------|
| Adkins.            | McGill.     |
| Albritton.         | Morse.      |
| Allred.            | Mullally.   |
| Baker.             | Murphy.     |
| Barnett.           | Nicholson.  |
| Beck.              | Palmer.     |
| Bradley.           | Petsch.     |
| Carpenter.         | Purl.       |
| Coltrin.           | Quinn.      |
| Conway.            | Renfro.     |
| Cox of Limestone.  | Richardson. |
| Enderby.           | Rogers.     |
| Farrar.            | Rountree.   |
| Forbes.            | Sanders.    |
| Hardy.             | Savage.     |
| Harrison.          | Shaver.     |
| Hines.             | Simmons.    |
| Hogg.              | Stevenson.  |
| Johnson.           | Storey.     |
| of Dallam.         | Tarwater.   |
| Johnson of Smith.  | Thompson.   |
| Johnson of Scurry. | Turner.     |
| Keeton.            | Van Zandt.  |
| Keller.            | Veatch.     |
| Kemble.            | Wallace.    |
| Kennedy.           | Walters.    |
| Kincaid.           | Warwick.    |
| Kinnear.           | West.       |
| Land.              | Woodruff.   |
| Magee.             | Young.      |
| McDonald.          |             |

## Nays—16.

|               |                  |
|---------------|------------------|
| Ackerman.     | Jones.           |
| Bounds.       | Justiss.         |
| Brice.        | Long of Wichita. |
| Brooks.       | Pavlica.         |
| Cox of Lamar. | Riley.           |
| Heaton.       | Snelgrove.       |
| Hornaday.     | Stephens.        |
| Jenkins.      | Webb.            |

## Present—Not Voting.

Pope of Jones.



## Absent.

|                  |             |
|------------------|-------------|
| Acker.           | Mankin.     |
| Anderson.        | Marks.      |
| Avis.            | Martin.     |
| Baldwin.         | Mauritz.    |
| DeWolfe.         | Maynard.    |
| Dunlap.          | McCombs.    |
| Duvall.          | Metcalf.    |
| Eickenroht.      | Minor.      |
| Finlay.          | Montgomery. |
| Gates.           | Moore.      |
| Gilbert.         | Negley.     |
| Giles.           | Olsen.      |
| Graves           | O'Neill.    |
| of Williamson.   | Patterson.  |
| Graves of Erath. | Pool.       |
| Harding.         | Reid.       |
| Harman.          | Shelton.    |
| Hefley.          | Sherrill.   |
| Holder.          | Sinks.      |
| Hopkins.         | Tillotson.  |
| Hubbard.         | Waddell.    |
| King.            | Williams    |
| Lee.             | of Hardin.  |
| Lemens.          | Williams    |
| Loy.             | of Travis.  |

## Absent—Excused.

|                  |                 |
|------------------|-----------------|
| Bateman.         | McKean.         |
| Bond.            | Mehl.           |
| Chastain.        | Mosely.         |
| Davis.           | Pope of Nueces. |
| Ewing.           | Prendergast.    |
| Finn.            | Ray.            |
| Fuchs.           | Reader.         |
| Harper.          | Speck.          |
| Johnson          | Strong.         |
| of Dimmit.       | Westbrook.      |
| Kayton.          | Wiggs.          |
| Kenyon.          | Williams        |
| Long of Houston. | of Sabine.      |

On motion of Mr. Purl, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill or excused.

Mr. Cox of Lamar moved that the Speaker of the House be instructed to wire the sheriffs of the various counties to bring in all absent members.

On motion of Mr. Hardy, the motion by Mr. Cox of Lamar was tabled.

## ADJOURNMENT.

Mr. Keller moved that the House adjourn until 10 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—53.

|           |         |
|-----------|---------|
| Acker.    | Baker.  |
| Ackerman. | Beck.   |
| Adkins.   | Bounds. |

|                    |                |
|--------------------|----------------|
| Bradley.           | McGill.        |
| Brice.             | Moore.         |
| Brooks.            | Mullally.      |
| Carpenter.         | Murphy.        |
| Conway.            | Negley.        |
| Cox of Limestone.  | Nicholson.     |
| Enderby.           | Palmer.        |
| Farrar.            | Pavlica.       |
| Gates.             | Pope of Jones. |
| Hardy.             | Quinn.         |
| Harrison.          | Renfro.        |
| Hines.             | Richardson.    |
| Hogg.              | Riley.         |
| Hornaday.          | Rogers.        |
| Hubbard.           | Savage.        |
| Johnson of Scurry. | Sherrill.      |
| Jones.             | Simmons.       |
| Justiss.           | Snelgrove.     |
| Keeton.            | Storey.        |
| Keller.            | Tillotson.     |
| Kincaid.           | Van Zandt.     |
| Land.              | Walters.       |
| Magee.             | West.          |
| Marks.             |                |

## Nays—29.

|                   |                  |
|-------------------|------------------|
| Albritton.        | Long of Wichita. |
| Allred.           | McDonald.        |
| Barnett.          | Morse.           |
| Coltrin.          | Petsch.          |
| Cox of Lamar.     | Pool.            |
| Forbes.           | Rountree.        |
| Graves            | Sanders.         |
| of Williamson.    | Shaver.          |
| Jenkins.          | Stevenson.       |
| Johnson           | Tarwater.        |
| of Dallam         | Wallace.         |
| Johnson of Smith. | Warwick.         |
| Kemble.           | Webb.            |
| Kennedy.          | Woodruff.        |
| Kinnear.          | Young.           |
| Lemens.           |                  |

## Absent.

|                  |             |
|------------------|-------------|
| Mr. Speaker.     | Mankin.     |
| Anderson.        | Martin.     |
| Avis.            | McCombs.    |
| Baldwin.         | Metcalf.    |
| DeWolfe.         | Minor.      |
| Dunlap.          | Montgomery. |
| Duvall.          | Olsen.      |
| Eickenroht.      | O'Neill.    |
| Finlay.          | Patterson.  |
| Gilbert.         | Purl.       |
| Giles.           | Reid.       |
| Graves of Erath. | Shelton.    |
| Harding.         | Sinks.      |
| Harman.          | Stephens.   |
| Heaton.          | Thompson.   |
| Hefley.          | Turner.     |
| Holder.          | Veatch.     |
| Hopkins.         | Waddell.    |
| Mauritz.         | Williams    |
| Maynard.         | of Hardin.  |
| King.            | Williams    |
| Lee.             | of Travis.  |
| Loy.             |             |

## Absent—Excused.

|                  |                 |
|------------------|-----------------|
| Bateman.         | McKean.         |
| Bond.            | Mehl.           |
| Chastain.        | Mosely.         |
| Davis.           | Pope of Nueces. |
| Ewing.           | Prendergast.    |
| Finn.            | Ray.            |
| Fuchs.           | Reader.         |
| Harper.          | Speck.          |
| Johnson          | Strong.         |
| of Dimmit.       | Westbrook.      |
| Kayton.          | Wiggs.          |
| Kenyon.          | Williams        |
| Long of Houston. | of Sabine.      |

The House, accordingly, at 4:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

State Affairs: House bills Nos. 18 and 9.

Penitentiaries: House bills Nos. 16 and 15.

## ELEVENTH DAY.

(Saturday, February 8, 1930.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

|                   |                    |
|-------------------|--------------------|
| Mr. Speaker.      | Gilbert.           |
| Acker.            | Giles.             |
| Ackerman.         | Hardy.             |
| Adkins.           | Harrison.          |
| Albritton.        | Heaton.            |
| Allred.           | Hines.             |
| Avis.             | Hogg.              |
| Baker.            | Holder.            |
| Beck.             | Hopkins.           |
| Bounds.           | Jenkins.           |
| Bradley.          | Johnson            |
| Brice.            | of Dallam.         |
| Brooks.           | Johnson of Smith.  |
| Carpenter.        | Johnson of Scurry. |
| Coltrin.          | Jones.             |
| Conway.           | Keeton.            |
| Cox of Lamar.     | Keller.            |
| Cox of Limestone. | Kennedy.           |
| Dunlap.           | Kincaid.           |
| Enderby.          | King.              |
| Farrar.           | Land.              |
| Forbes.           | Loy.               |
| Gates.            | Magee.             |

|                |            |
|----------------|------------|
| Mankin.        | Shaver.    |
| Marks.         | Sherrill.  |
| McCombs.       | Simmons.   |
| McDonald.      | Snelgrove. |
| McGill.        | Stephens.  |
| Metcalfe.      | Stevenson. |
| Mullally.      | Tarwater.  |
| Murphy.        | Thompson.  |
| Negley.        | Tillotson. |
| Palmer.        | Turner.    |
| Pavlica.       | Van Zandt. |
| Petsch.        | Veatch.    |
| Pool.          | Walters.   |
| Pope of Jones. | Warwick.   |
| Purl.          | Webb.      |
| Quinn.         | West.      |
| Renfro.        | Williams   |
| Richardson.    | of Hardin. |
| Riley.         | Williams   |
| Rogers.        | of Travis. |
| Sanders.       | Woodruff.  |
| Savage.        | Young.     |

## Absent.

|                  |                  |
|------------------|------------------|
| Anderson.        | Long of Wichita. |
| Baldwin.         | Martin.          |
| Barnett.         | Mauritz.         |
| Bateman.         | Maynard.         |
| Bond.            | McKean.          |
| Chastain.        | Mehl.            |
| Davis.           | Minor.           |
| DeWolfe.         | Montgomery.      |
| Duvall.          | Moore.           |
| Ewing.           | Morse.           |
| Eickenroht.      | Mosely.          |
| Finn.            | Nicholson.       |
| Finlay.          | Olsen.           |
| Fuchs.           | O'Neill.         |
| Graves           | Patterson.       |
| of Williamson.   | Pope of Nueces.  |
| Graves of Erath. | Prendergast.     |
| Harding.         | Ray.             |
| Harman.          | Reader.          |
| Harper.          | Reid.            |
| Hefley.          | Rountree.        |
| Hornaday.        | Shelton.         |
| Hubbard.         | Sinks.           |
| Johnson          | Speck.           |
| of Dimmit.       | Storey.          |
| Justiss.         | Strong.          |
| Kayton.          | Waddell.         |
| Kemble.          | Wallace.         |
| Kenyon.          | Westbrook.       |
| Kinnear.         | Wiggs.           |
| Lee.             | Williams         |
| Lemens.          | of Sabine.       |
| Long of Houston. |                  |

The Speaker announced that there was not a quorum present.

Mr. Petsch moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-